

Serial No. 09/995,021

Attorney Docket No. 10541-809

II. Remarks

Claims 1-16 stand rejected. Claims 1 and 9 are being amended. Accordingly, after entering the above amendments, claims 1-16 remain pending.

Claims 1 and 9 require a shared sensor coupled to a seating system and a second system. The shared sensor collects vehicle data and transmits vehicle data to the seating system and to the second system.

By using a single sensor for two different systems, duplication of the sensor's function is eliminated, which eliminates unnecessary weight, cost, and complexity to the vehicle.

Reconsideration and re-examination of this application in view of the above amendments and the following remarks are respectfully requested.

Claim Rejections - 35 U.S.C. § 112

Claims 1-16 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In response, claim 1 has been amended to specifically recite "the shared sensor". Accordingly, it is believed that this rejection is now moot and should be withdrawn.

Serial No. 09/995,021

Attorney Docket No. 10541-809

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-4, 6-12, and 14-16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,722,550 to Imaoka et al. ("Imaoka") in view of U.S. Patent No. 6,691,015 to Levine ("Levine"). Claims 5 and 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Imaoka in view of Levine and further in view of U.S. Patent No. 6,056,079 to Cech et al. ("Cech").

Imaoka discusses a seating system with a seat cushion (2) and a seat back (3), adjustable air bags (7, 8, 9, and 10) located within the seat cushion (2) and seat back (3), and a controller (23) that receives vehicle data and activates the air bags (7, 8, 9, and 10). A speed sensor (21) and a steering angle detecting sensor (22) collect the vehicle data and transmit the data to the controller (23).

The Examiner acknowledges that Imaoka's sensors are not coupled to a second system, but contends that Levine teaches a shared sensor. Levine discusses a transducer (17), such as a vehicle speed detector, coupled directly to an analyzer (12) which controls certain functions of a vehicle. Levine's transducer (17) collects vehicle data and transmits the data only to the analyzer. Unlike Applicant's invention, Levine's transducer (17) does not transmit data to another system that is not associated with the analyzer (12).

Indeed, since both Imaoka and Levine fail to appreciate the above mentioned advantages of having a shared sensor, and both teach a sensor

Serial No. 09/995,021

Attorney Docket No. 10541-809

coupled to a single system, that is, teach away from Applicant's shared sensor, there is no motivation to combine Imaoka with Levine.

Moreover, in that Levine fails to disclose or suggest the share sensor which was previously noted as being absent in Imaoka, it must be concluded that the combination of Imaoka in view of Levine cannot render claims 1 and 9 as obvious.

Accordingly, the rejection of claims 1 and 9 under § 103 is therefore improper and should be withdrawn.

Since Cech does not overcome the deficiencies of Imaoka and Levine and because claims 2 through 8 and 10 through 16 depend directly or indirectly from claims 1 or 9, the reasons for allowance of claims 1 and 9 apply as well to the dependent claims.

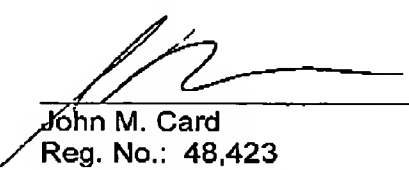
Serial No. 09/995,021

Attorney Docket No. 10541-809

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 1-16) are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

Dated: February 17, 2005

John M. Card
Reg. No.: 48,423
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(734) 302-6000